

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7540

Petition of Vermont Department of Public Service for an )  
investigation and for an order directing Telephone )  
Operating Company of Vermont LLC, d/b/a FairPoint )  
Communications, to show cause why its Certificate of )  
Public Good should not be revoked )

Order entered: 11/13/2009

**ORDER EXTENDING SCHEDULES**

On November 12, 2009, Telephone Operating Company of Vermont LLC, d/b/a FairPoint Communications ("FairPoint" or the "Company"), filed a Motion to Extend the Schedule in this Docket.<sup>1</sup> FairPoint asks that we extend the schedule for an additional twenty days and specify that "no mandatory filing, discovery, scheduling, and/or appearance requirements and deadlines be established for effect prior to December 3, 2009." This extension would apply to the testimony that FairPoint is required to file by November 13. FairPoint also requests that we extend — until December 8, 2009 — the November 16, 2009, deadline for it and other parties to file proposed alterations to the schedule based upon the earlier extension of time. As it did in the previous extension request, FairPoint says that this request is made "in light of" the Company's filing for voluntary reorganization under Chapter 11 of the U.S. Bankruptcy Code. FairPoint represents that the Department of Public Service ("Department") supports its request.

We grant FairPoint's motion and extend the schedule in this proceeding by twenty days. In addition, we extend the November 16, 2009, deadline for FairPoint to file a proposed new schedule until December 8, 2009. In granting this request, we largely rely upon the Department's agreement to FairPoint's proposed extension. However, we want to notify FairPoint and other

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1. This is FairPoint's second request for an extension of time in recent days. On October 30, 2009, FairPoint asked for a similar extension for a period of ten days (to November 13). We granted this request on October 30 and issued an Order explaining our decision on November 5, 2009.

parties that we are disinclined to grant a further extension. If FairPoint does seek a further extension, the Company must provide specific rationale demonstrating the necessity for that extension, not simply refer generally to the existence of a parallel bankruptcy proceeding. We would also expect the Department to provide such an explanation.

We also advise the parties that the Board will proceed with the public hearing on December 9, 2009.

**So ORDERED.**

Dated at Montpelier, Vermont, this 13<sup>th</sup> day of November, 2009.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/David C. Coen</u>	)	BOARD
	)	
	)	OF VERMONT
<u>s/John D. Burke</u>	)	

OFFICE OF THE CLERK

FILED: November 13, 2009

ATTEST: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*